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**TITLE 832 STATE BOARD OF FUNERAL AND CEMETERY SERVICE****Notice of Intent to Adopt a Rule**  
LSA Document #12-198

Under [IC 4-22-2-23](#), the State Board of Funeral and Cemetery Service intends to adopt a rule concerning the following:

**OVERVIEW:** Amends [832 IAC 2-1-1](#) concerning definitions, fees, and reports. Amends [832 IAC 2-1-2](#) concerning fees. Amends [832 IAC 2-1-4](#) concerning notice of changes in circumstances. Amends [832 IAC 2-1-5](#) concerning notifications. Amends [832 IAC 2-2-2](#) concerning cremation; burial permit requirements; written authority. Adds [832 IAC 2-2-2.1](#) concerning simultaneous cremation. Amends [832 IAC 2-2-4](#) concerning professional conduct. Amends [832 IAC 3-1-1](#) concerning approved college, school or department of mortuary science. Amends [832 IAC 3-2-1](#) concerning funeral director internships. Amends [832 IAC 3-2-2](#) concerning recognized funeral service intern examinations. Amends [832 IAC 3-2-3](#) concerning funeral director intern case reports. Amends [832 IAC 3-2-4](#) concerning requirements for third and subsequent takings of funeral director license examination. Amends [832 IAC 3-3-2](#) concerning funeral director license; out of state applicants. Repeals [832 IAC 3-3-4](#) concerning substantially equal. Amends [832 IAC 3-3-5](#) concerning effect of expired funeral director license. Amends [832 IAC 4-1-1](#) concerning continuing education. Amends [832 IAC 4-1-2](#) concerning continuing education. Amends [832 IAC 4-1-3](#) concerning sponsors. Amends [832 IAC 4-1-4](#) concerning sponsor appeal rights. Repeals [832 IAC 4-2-1](#) concerning license reinstatement. Amends [832 IAC 4-2-2](#) concerning continuing education requirements for license reinstatement. Amends [832 IAC 4-2-4](#) concerning application of renewal for license. Adds [832 IAC 5-1-0.5](#) concerning licensure procedure. Amends [832 IAC 5-1-1](#) concerning applicant affidavit. Amends [832 IAC 5-1-1.1](#) concerning inspections. Adds [832 IAC 5-1-1.2](#) concerning records. Amends [832 IAC 5-1-3](#) concerning plumbing requirements; back-syphonage protection systems. Amends [832 IAC 5-1-4](#) concerning embalming rooms; construction fixtures; equipment and use requirements. Amends [832 IAC 5-2-1](#) concerning display of license. Amends [832 IAC 5-2-2](#) concerning required employment of embalmers by unqualified funeral directors. Repeals [832 IAC 5-2-3](#) concerning food service restrictions. Amends [832 IAC 5-2-4](#) concerning supervised funeral service limited to licensees. Amends [832 IAC 5-2-5](#) concerning duplicate licenses at all locations where associated. Repeals [832 IAC 5-2-6](#) concerning inspection of records. Amends [832 IAC 6-1-1](#) concerning notifications affecting preneed contracts. Adds [832 IAC 6-1-3](#) concerning payment of trust and escrow funds; documentation required. Amends [832 IAC 7-1-1](#) concerning definitions. Repeals [832 IAC 7-1-2](#) concerning case advance item defined. Repeals [832 IAC 7-1-3](#) concerning contract defined. Repeals [832 IAC 7-1-5](#) concerning delivery defined. Repeals [832 IAC 7-1-6](#) concerning preneed contract defined. Repeals [832 IAC 7-1-7](#) concerning preneed services or merchandise or service of merchandise defined. Repeals [832 IAC 7-1-8](#) concerning purchaser defined. Repeals [832 IAC 7-1-9](#) concerning seller defined. Amends [832 IAC 7-2-1](#) concerning preneed contract. Amends [832 IAC 7-2-4](#) concerning bank trust deposits. Amends [832 IAC 7-2-5](#) concerning cash advance item and sales tax collections. Amends [832 IAC 7-2-6](#) concerning duplicate contracts. Repeals [832 IAC 7-2-7](#) concerning transferred contracts. Adds [832 IAC 7-2-7.1](#) concerning inability to perform contractual duties. Amends [832 IAC 7-2-8](#) concerning consumer protection charges. Amends [832 IAC 7-2-9](#) concerning consumer protection fund disclosure. Amends [832 IAC 7-2-10](#) concerning excess funds; [IC 30-2-10](#) trust. Repeals [832 IAC 7-2-11](#) concerning pre-act exchange provisions. Amends [832 IAC 7-2-12](#) concerning requirements to make records available to board. Adds [832 IAC 7-2-13](#) concerning unlawful inducement. Adds [832 IAC 8-1-1](#) concerning definitions. Adds [832 IAC 8-1-2](#) concerning purpose of the preneed consumer protection fund. Adds [832 IAC 8-1-3](#) concerning requests for restitution. Adds [832 IAC 8-1-4](#) concerning board approval of disbursement. Adds [832 IAC 8-1-5](#) concerning interest. Adds [832 IAC 8-2-1](#) concerning definitions. Adds [832 IAC 8-2-2](#) concerning purpose of the consumer protection fund for cemetery maintenance. Adds [832 IAC 8-2-3](#) concerning request for maintenance assistance. Adds [832 IAC 8-2-4](#) concerning approval or disapproval; notice of termination. Questions or comments concerning the proposed rule may be directed to: State Board of Funeral and Cemetery Service, ATTENTION: Board Director, Indiana Government Center South, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204 or by electronic mail at [pla12@pla.in.gov](mailto:pla12@pla.in.gov). Statutory authority: [IC 25-1-4](#); [IC 25-1-8-2](#); [IC 25-15-8-6](#); [IC 25-15-8-7](#); [IC 25-15-8-11](#); [IC 25-15-9-8](#); [IC 25-15-9-9](#); [IC 30-2-9-7](#); [IC 30-2-10-9](#); [IC 30-2-13-34](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Tracy Hicks  
Indiana Professional Licensing Agency  
Indiana Government Center South  
402 West Washington Street, W072  
Indianapolis, IN 46204  
(317) 234-3052  
[thicks@pla.in.gov](mailto:thicks@pla.in.gov)

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Eric P. Shields  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 234-3997  
[smallbizombudsman@iedc.in.gov](mailto:smallbizombudsman@iedc.in.gov)

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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